

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

BRENDA NELSON

Plaintiff,

v.

CHARLES DEHAAN, CHARLES DEHAAN
individually and as an agent and employee of
HOUSECALL PHYSICIANS GROUP OF
ROCKFORD, S.C., HOUSECALL PHYSICIANS
GROUP OF ROCKFORD, S.C., CHARLES
DEHAAN individually and as an agent and
employee of HOUSECALL PHYSICIANS OF
ILLINOIS, S.C., HOUSECALL PHYSICIANS
OF ILLINOIS, S.C., CHARLES DEHAAN
individually and as an agent and employee of
MD@HOME MANAGEMENT, LLC, MD@HOME
MANAGEMENT, LLC
Defendants.

No: 2014 L 008926

SECOND AMENDED COMPLAINT

NOW COMES Plaintiff, BRENDA NELSON, by and through her attorneys, THE LAW OFFICES OF MICHAEL J. GRAVLIN, LLC., and complaining against the Defendants, CHARLES DEHAAN, CHARLES DEHAAN individually and as an agent and employee of HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C., HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C., CHARLES DEHAAN individually and as an agent and employee of HOUSECALL PHYSICIANS ILLINOIS, S.C., HOUSECALL PHYSICIANS OF ILLINOIS, S.C., CHARLES DEHAAN individually and as an agent and employee of MD@HOME MANAGEMENT, LLC, MD@HOME MANAGEMENT, LLC, and states as follows:

COUNT I ASSAULT/BATTERY CHARLES DEHAAN INDIVIDUALLY

1. That from on or about September 1, 2012 at or about 1491 Stony Creek Road, Rockford, Illinois, Plaintiff, BRENDA NELSON was a medical patient at 1491 Stony Creek Road, Rockford, Illinois.
2. That at all relevant times Defendant, CHARLES DEHAAN was a licensed medical doctor.

3. That at all relevant times Defendant, CHARLES DEHAAN was employed as a medical doctor.
4. That at all relevant times Defendant, CHARLES DEHAAN sexually assaulted the Plaintiff BRENDA NELSON.
5. That at all relevant times Defendant, CHARLES DEHAAN's sexual assault of Plaintiff BRENDA NELSON was an intentional and willful touching of the Plaintiff BRENDA NELSON.
6. That at all relevant times Plaintiff BRENDA NELSON did not consent to the intentional and willful touching by the Defendant, CHARLES DEHAAN.
7. That as a direct and proximate result of the sexual assault committed by Defendant, CHARLES DEHAAN; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein .

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, CHARLES DEHAAN individually in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT II ASSAULT/BATTERY CHARLES DEHAAN AS AN AGENT AND
EMPLOYEE OF HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C.**

8. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.
9. That at all relevant times CHARLES DEHAAN was employed by and acting in the scope of his employment of HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C.
10. That at all relevant times Defendant, HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. directly supervised and controlled Defendant, CHARLES DEHAAN.
11. That at all relevant times HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. was a corporation organized under the law of the State of Illinois.
12. That as a direct and proximate result of the sexual assault committed by Defendant, CHARLES DEHAAN as an agent and employee of HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C.; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, CHARLES DEHAAN as an agent and employee of HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT III ASSAULT/BATTERY CHARLES DEHAAN AS AN AGENT AND
EMPLOYEE OF HOUSECALL PHYSICIANS OF ILLINOIS, S.C.**

13. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.
14. That at all relevant times CHARLES DEHAAN was employed by and acting in the scope of his employment of HOUSECALL PHYSICIANS OF ILLINOIS, S.C.
15. That at all relevant times Defendant, HOUSECALL PHYSICIANS OF ILLINOIS, S.C., directly supervised and controlled Defendant, CHARLES DEHAAN.
16. That at all relevant times HOUSECALL PHYSICIANS OF ILLINOIS, S.C. was a corporation organized under the law of the State of Illinois.
17. That as a direct and proximate result of the sexual assault committed by Defendant, CHARLES DEHAAN as an agent and employee of HOUSECALL PHYSICIANS OF ILLINOIS, S.C.; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, CHARLES DEHAAN as an agent and employee of HOUSECALL PHYSICIANS OF ILLINOIS, S.C. in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT IV ASSAULT/BATTERY CHARLES DEHAAN AS AN AGENT AND
EMPLOYEE OF MD@HOME MANAGEMENT, LLC**

18. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.
19. That at all relevant times CHARLES DEHAAN was employed by and acting in the scope of his employment of MD@HOME MANAGEMENT, LLC.
20. That at all relevant times Defendant, MD@HOME MANAGEMENT, LLC, directly supervised and controlled Defendant, CHARLES DEHAAN.
21. That at all relevant times MD@HOME MANAGEMENT, LLC was a corporation organized under the law of the State of Illinois.
22. That as a direct and proximate result of the sexual assault committed by Defendant, CHARLES DEHAAN as an agent and employee of MD@HOME MANAGEMENT, LLC; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, CHARLES DEHAAN as an agent and employee of MD@HOME MANAGEMENT, LLC in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT V NEGLIGENT HIRING OF CHARLES DEHAAN BY HOUSECALL
PHYSICIANS GROUP OF ROCKFORD, S.C.**

23. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.
24. That at the time of Defendant CHARLES DEHAAN's hiring; Defendant HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. knew or should have known about Defendant CHARLES DEHAAN'S particular unfitness for his position.
25. That at all relevant times thereafter Defendant CHARLES DEHAAN's hiring; Defendant HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. knew or should have known Defendant CHARLES DEHAAN had a particular unfitness for his position.
26. That at all relevant times Defendant HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. knew or should have known Defendant CHARLES DEHAAN's particular unfitness created a danger of harm to third persons, including Plaintiff BRENDA NELSON.
27. That at all relevant times Defendant CHARLES DEHAAN's particular unfitness was the proximate cause of the Plaintiff, BRENDA NELSON's injury.
28. That as a direct and proximate result of the negligent hiring of the Defendant, HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C.; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries

sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT VI NEGLIGENT RETENTION OF CHARLES DEHAAN BY
HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C.**

29. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.

30. That at the time of Defendant CHARLES DEHAAN's retention; Defendant HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. knew or should have known about Defendant CHARLES DEHAAN'S particular unfitness for his position.

31. That at all relevant times thereafter Defendant CHARLES DEHAAN's hiring; Defendant HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. knew or should have known Defendant CHARLES DEHAAN had a particular unfitness for his position.

32. That at all relevant times Defendant HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. knew or should have known Defendant CHARLES DEHAAN's particular unfitness created a danger of harm to third persons, including Plaintiff BRENDA NELSON.

33. That at all relevant times Defendant CHARLES DEHAAN's particular unfitness was the proximate cause of the Plaintiff, BRENDA NELSON's injury.

34. That as a direct and proximate result of the negligent retention of the Defendant,

HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C.; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, HOUSECALL PHYSICIANS GROUP OF ROCKFORD, S.C. in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT VII NEGLIGENT HIRING OF CHARLES DEHAAN BY HOUSECALL
PHYSICIANS OF ILLINOIS, S.C.**

35. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.

36. That at the time of Defendant CHARLES DEHAAN's hiring; Defendant HOUSECALL PHYSICIANS OF ILLINOIS, S.C. knew or should have known about Defendant CHARLES DEHAAN'S particular unfitness for his position.

37. That at all relevant times thereafter Defendant CHARLES DEHAAN's hiring; Defendant HOUSECALL PHYSICIANS OF ILLINOIS, S.C. knew or should have known Defendant CHARLES DEHAAN had a particular unfitness for his position.

38. That at all relevant times Defendant HOUSECALL PHYSICIANS OF ILLINOIS, S.C.

knew or should have known Defendant CHARLES DEHAAN's particular unfitness created a danger of harm to third persons, including Plaintiff BRENDA NELSON.

39. That at all relevant times Defendant CHARLES DEHAAN's particular unfitness was the proximate cause of the Plaintiff, BRENDA NELSON's injury.

40. That as a direct and proximate result of the negligent hiring of the Defendant, HOUSECALL PHYSICIANS OF ILLINOIS, S.C.; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, HOUSECALL PHYSICIANS OF ILLINOIS, S.C. in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

**COUNT VIII NEGLIGENT RETENTION OF CHARLES DEHAAN BY
HOUSECALL PHYSICIANS OF ILLINOIS, S.C.**

41. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.

42. That at the time of Defendant CHARLES DEHAAN's retention; Defendant HOUSECALL PHYSICIANS OF ILLINOIS, S.C. knew or should have known about

Defendant CHARLES DEHAAN'S particular unfitness for his position.

43. That at all relevant times thereafter Defendant CHARLES DEHAAN's hiring; Defendant

HOUSECALL PHYSICIANS OF ILLINOIS, S.C. knew or should have known

Defendant CHARLES DEHAAN had a particular unfitness for his position.

44. That at all relevant times Defendant HOUSECALL PHYSICIANS OF ILLINOIS, S.C.

knew or should have known Defendant CHARLES DEHAAN's particular unfitness

created a danger of harm to third persons, including Plaintiff BRENDA NELSON.

45. That at all relevant times Defendant CHARLES DEHAAN's particular unfitness was the

proximate cause of the Plaintiff, BRENDA NELSON's injury.

46. That as a direct and proximate result of the negligent retention of the Defendant,

HOUSECALL PHYSICIANS OF ILLINOIS, S.C.; the Plaintiff BRENDA NELSON

suffered serious personal injuries to her body that resulted in conscious pain and

suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA

NELSON has and in the future will be caused to endure great pain and suffering; that the

Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums

of money endeavoring to be cured of her said injuries; all as a result of the injuries

sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and

against the Defendant, HOUSECALL PHYSICIANS OF ILLINOIS, S.C. in a sum in excess of

the minimum jurisdictional limit plus the cost of this suit.

**COUNT IX NEGLIGENT HIRING OF CHARLES DEHAAN BY MD@HOME
MANAGEMENT, LLC**

47. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.
48. That at the time of Defendant CHARLES DEHAAN's hiring; Defendant MD@HOME MANAGEMENT, LLC knew or should have known about Defendant CHARLES DEHAAN'S particular unfitness for his position.
49. That at all relevant times thereafter Defendant CHARLES DEHAAN's hiring; Defendant MD@HOME MANAGEMENT, LLC knew or should have known Defendant CHARLES DEHAAN had a particular unfitness for his position.
50. That at all relevant times Defendant MD@HOME MANAGEMENT, LLC knew or should have known Defendant CHARLES DEHAAN's particular unfitness created a danger of harm to third persons, including Plaintiff BRENDA NELSON.
51. That at all relevant times Defendant CHARLES DEHAAN's particular unfitness was the proximate cause of the Plaintiff, BRENDA NELSON's injury.
52. That as a direct and proximate result of the negligent hiring of the Defendant, MD@HOME MANAGEMENT, LLC; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, MD@HOME MANAGEMENT, LLC in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

COUNT X NEGLIGENT RETENTION OF CHARLES DEHAAN BY
MD@HOME MANAGEMENT, LLC

53. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.
54. That at the time of Defendant CHARLES DEHAAN's retention; Defendant MD@HOME MANAGEMENT, LLC knew or should have known about Defendant CHARLES DEHAAN'S particular unfitness for his position.
55. That at all relevant times thereafter Defendant CHARLES DEHAAN's hiring; Defendant MD@HOME MANAGEMENT, LLC knew or should have known Defendant CHARLES DEHAAN had a particular unfitness for his position.
56. That at all relevant times Defendant MD@HOME MANAGEMENT, LLC knew or should have known Defendant CHARLES DEHAAN's particular unfitness created a danger of harm to third persons, including Plaintiff BRENDA NELSON.
57. That at all relevant times Defendant CHARLES DEHAAN's particular unfitness was the proximate cause of the Plaintiff, BRENDA NELSON's injury.
58. That as a direct and proximate result of the negligent retention of the Defendant, MD@HOME MANAGEMENT, LLC; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the

future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, MD@HOME MANAGEMENT, LLC in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.

COUNT XI FRAUD AND DECEIT—FRAUDULENT MISREPRESENTATION
CHARLES DEHAAN INDIVIDUALLY

59. Plaintiff, BRENDA NELSON, re-states and re-alleges Paragraphs 1 through 6 contained in Count I as if fully stated herein.

60. That at all relevant times Defendant CHARLES DEHAAN stated that he was a medical doctor and examining the Plaintiff, BRENDA NELSON for the purpose of treating certain medical conditions.

61. That at all relevant times the statements contained in Paragraph 60 were false statements of material facts.

62. That at all relevant times the Defendant CHARLES DEHAAN knew the statements were false or believed the statements to be false or made the statements in reckless disregard of whether they were true or false.

63. That at all relevant times the Defendant CHARLES DEHAAN made the statements with the intent to induce the Plaintiff, BRENDA NELSON to act.

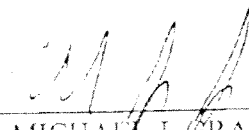
64. That at all relevant times the Plaintiff, BRENDA NELSON reasonably believed the

statements contained in Paragraph 60 and acted in justified reliance on the truth of the statements.

65. That the Plaintiff, BRENDA NELSON further claims she sustained damages as a result of her reliance.

66. That as a direct and proximate result of the fraud and deceit—fraudulent misrepresentation of the Defendant, CHARLES DEHAAN; the Plaintiff BRENDA NELSON suffered serious personal injuries to her body that resulted in conscious pain and suffering; that said injuries are permanent in nature and that the Plaintiff BRENDA NELSON has and in the future will be caused to endure great pain and suffering; that the Plaintiff BRENDA NELSON has and in the future will be caused to expend great sums of money endeavoring to be cured of her said injuries; all as a result of the injuries sustained herein.

WHEREFORE, Plaintiff, BRENDA NELSON prays for an entry of Judgment in her favor and against the Defendant, CHARLES DEHAAN in a sum in excess of the minimum jurisdictional limit plus the cost of this suit.



MICHAEL J. GRAVLIN
Attorney for Plaintiff

LAW OFFICES OF
MICHAEL J. GRAVLIN, LLC.
134 N. LASALLE STREET, SUITE 2020
CHICAGO, IL 60602
(312) 201-9961
Attorney NO: 42760

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

BRENDA NELSON

Plaintiff,

v.

CHARLES DEHAAN, CHARLES DEHAAN
individually and as an agent and employee of
HOUSECALL PHYSICIANS GROUP OF
ROCKFORD, S.C., HOUSECALL PHYSICIANS
GROUP OF ROCKFORD, S.C., CHARLES
DEHAAN individually and as an agent and
employee of HOUSECALL PHYSICIANS OF
ILLINOIS, S.C., HOUSECALL PHYSICIANS
OF ILLINOIS, S.C., CHARLES DEHAAN
individually and as an agent and employee of
MD@HOME MANAGEMENT, LLC, MD@HOME)
MANAGEMENT, LLC
Defendants.

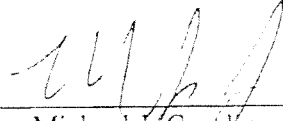
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AFFIDAVIT PURSUANT TO SUPREME COURT RULE 222(b)

MICHAEL J. GRAVLIN, on oath, deposes and states as follows:

1. I am an attorney assigned to the case on behalf of the Plaintiff, BRENDA NELSON.
2. I have personally discussed the circumstances of this occurrence with the Plaintiff and have learned the nature and extent of the injuries.
3. Based upon information presently available regarding the nature and extent of the Plaintiff's injuries, I believe that her case total damages exceed FIFTY THOUSAND and no/100 DOLLARS (\$50,000.00).

FURTHER, YOUR AFFIANT SAYETH NAUGHT,



Michael J. Gravlin
Attorney for Plaintiff

Subscribed and sworn to before me this 10th day of December, 2014



Notary Public

LAW OFFICES OF
MICHAEL J. GRAVLIN, LLC.
134 N. LASALLE STREET, SUITE 2020
CHICAGO, IL 60602
(312) 201-9961
Attorney NO: 42760